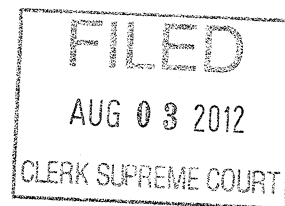


In the Supreme Court of Iowa



| | | |
|---------------------------------------|---|--------------|
| Request for Public Comment |) | |
| Regarding Proposed New Rule of |) | |
| Civil Procedure 1.1702—Uniform |) | Order |
| Interstate Depositions and |) | |
| Discovery Rule |) | |

The supreme court requests public comment on a revised version of a proposed new rule 1.1702 governing interstate depositions. In December 2011, the court requested comments on a previous version of the proposed rule 1.1702. Since then, however, additional modifications have been made to suit Iowa practice. The court believes that allowing an opportunity for additional comment would be appropriate.

To date when the parties to a civil action that is pending in a state other than Iowa want to subpoena evidence in Iowa, they have had to obtain a commission from the other state court. This rule is intended to streamline the existing procedure and make it more convenient for parties. It is based upon the Uniform Interstate Depositions and Discovery Act. The court thanks the Advisory Committee on Rules of Civil Procedure and Professor David Walker of Drake Law School for their contributions in developing the proposed rule.


The supreme court seeks public comment on the proposed revised rule 1.1702 prior to taking further action on it. Copies of the proposed rule can be found at www.iowacourts.gov/Supreme_Court/Orders/. In addition, copies are available at the office of the Clerk of the Supreme Court.

Any interested organization, agency, or person may submit written comments. Comments about a proposed rule must refer to the specific rule number (for example, Rule 31.16(2)) and the specific numbered line or lines to which the comments are directed. Comments sent by e-mail must be e-mailed

to **rules.comments@iowacourts.gov**, must state **“Interstate Depositions Rule”** in the subject line of the e-mail, and must be sent **as an attachment to the e-mail in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319. **The deadline for submitting comments is 4:30 p.m. on October 3, 2012.**

Dated this 3rd day of August, 2012.

THE SUPREME COURT OF IOWA

By 
Mark S. Cady, Chief Justice